

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

ROBERT SKIBA, *on behalf of himself, FLSA Collective
Plaintiffs and the Class,*

Plaintiff,

v.

43-43 KISSENA, LLC,
43KISSENA43, LLC,
JOHN M DOWNING,
JOHN M DOWNING, JR.,
KISSENA GARDENS CONDOMINIUM
BOARD OF MANAGERS, and
VINCENT LO, IN HIS REPRESENTATIVE
CAPACITY AS OFFICER OF THE BOARD
OF MANAGERS OF KISSENA GARDENS
CONDOMINIUM,

Defendants.

Case No.: 1:24-CV-04916 (BMC)

RULE 68 JUDGMENT

WHEREAS, pursuant to Rule 68 of the Federal Rules of Civil Procedure, Defendants 43-43 Kissena, LLC, 43Kissena43, LLC, John M. Downing, John M. Downing, Jr., Kissena Gardens Condominium Board of Managers, and Vincent Lo (collectively “Defendants”), having offered to allow Plaintiff Robert Skiba (“Plaintiff”) to take a judgment against them, in the sum of forty-five thousand dollars (\$45,000), inclusive of all attorneys’ fees, costs, and expenses, and without any admission of liability, for all of the Causes of Action contained in Plaintiff’s Complaint, in accordance with the terms and conditions of Defendants’ Rule 68 Offer of Judgment dated February 7, 2025 and filed as Exhibit A to Docket Number 38;

WHEREAS, on February 10, 2025, Plaintiff’s attorney having confirmed Plaintiff’s acceptance of Defendants’ Offer of Judgment (Dkt. No. 38);

It is **ORDERED and ADJUDGED**, that judgment is entered in favor of Plaintiff Rober Skiba, in the sum of \$45,000.00, in accordance with the terms and conditions of

Defendants' Rule 68 Offer of Judgment dated February 7, 2025 and filed as Exhibit A to Docket Number 38.

Dated: February 11, 2025
Brooklyn, New York

BRENNNA B. MAHONEY
CLERK OF COURT

by: Jalitzza Poveda
Deputy Clerk